

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:19-cv-00452-FDW**

ADRIAN PARKER,)
)
Plaintiff,)
)
vs.)
)
)
UNKNOWN DEFENDANTS,)
)
Defendants.)
_____)

ORDER

THIS MATTER is before the Court on its own motion on review of the docket in this matter.

On September 13, 2019, pro se Plaintiff Adrian Parker (“Plaintiff”) filed a “Civil/Criminal Complaint” with this Court.¹ [Doc. 1]. Plaintiff is a federal inmate currently incarcerated at Bennettsville Correctional Institution in Bennettsville, South Carolina. Plaintiff filed his Complaint without paying the \$400.00 filing fee and without filing an application to proceed without prepayment of fees. On September 13, 2019, the Clerk of Court sent Plaintiff a deficiency notice advising Plaintiff that he must file an application to proceed without prepayment of fees or pay the filing fee within 21 days. The Clerk enclosed a copy of the application and advised the Plaintiff that his failure to comply may result in the dismissal of this action without prejudice for failure to prosecute. [Doc. 2].

¹ It is unclear from Plaintiff’s Complaint on which jurisdictional grounds he purports to proceed under, although he states “[a]ll [unknown defendants] are in violation of federal statutes upon committing these unlawful federal crimes and all fall squarely under Federal Jurisdiction for their commitment and unlawful acts, criminal activity as a Hold.” [Doc. 1 at 1]. The Courts notes that on a brief review of Plaintiff’s Complaint, it appears Plaintiff purports to bring this lawsuit, in large part, on behalf of his ex-girlfriend and friends of hers, which he does not have standing to do.

At this time, Plaintiff has failed to file the application to proceed without prepayment of fees or pay the filing fee. As such, the Court will dismiss Plaintiff's Complaint without prejudice to refile a complaint if he so chooses.

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's Complaint [Doc. 1] is dismissed without prejudice for failure to comply with the Clerk's Order.
2. The Clerk is instructed to terminate this action.

Signed: February 3, 2020



Frank D. Whitney
Chief United States District Judge

